समक्ष : माननीय राज्य प्रशासनिक अधिकरण म.प्र., रायपुर (छ.ग.)

O.A. क्रमांक : /2002

आवेदक : कु. मनोरमा शेण्डे, उम्र 26 वर्ष
आत्मजा श्री अर्जुन राव शेण्डे
सहायक शिक्षक
प्राथमिक शाला भाठागांव
न.के.मु. स्टेशन भाठागांव
विकासखण्ड- राजनांदगांव
जिला राजनांदगांव (छ.ग.)

विरूद्ध

अनावेदकगण : (1) छत्तीसगढ़ शासन,
द्वारा- सचिव,
स्कूल शिक्षा विभाग,
डी.के.एस. भवन,
रायपुर (छ.ग.)

(2) संचालक,
लोक शिक्षण संचालनालय,
रायपुर (छ.ग.)

(3) जिला शिक्षा अधिकारी,
जिला राजनांदगांव (छ.ग.)

(4) प्राचार्य,
शा.प्रा.शाला भाठागांव
विकासखण्ड- राजनांदगांव
जिला राजनांदगांव (छ.ग.)

आवेदन - पत्र अन्तर्गत धारा 19 म.प्र. राज्य प्रशासनिक अधिनियम

:: आवेदन - पत्र का विवरण ::

(1) आवेदक का विवरण : उपरोक्त शीर्ष में वर्णित अनुसार

(2) अनावेदकगणों का विवरण : उपरोक्त शीर्ष में वर्णित अनुसार

(3) अ. आदेश का विवरण जिसके विरूद्ध आवेदन पत्र प्रस्तुत है :

आवेदक किसी आदेश विशेष के विरूद्ध यह आवेदन माननीय प्राधिकरण के समक्ष प्रस्तुत नहीं कर रहा है अपितु आवेदक द्वारा बी.टी.आई. परीक्षा वर्ष के व्यय से उत्तीर्ण किए जाने के पश्चात् दो वार्षिक वेतन वृद्धि का पात्र होने के बावजूद शासन द्वारा वेतन वृद्धि प्रदान नहीं किए जाने से व्यथित

कृ.प.3.

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 4094 of 2006

Petitioner : Komal Kumar Meshram

Versus

Respondents : The State Govt. of Chhattisgarh & others

W. P. No. 4095 of 2006

Petitioner : Som Nath Bhandari

Versus

Respondents : The State Govt. of Chhattisgarh & others

W. P. (s) No. 4486 of 2006

Petitioner : Shri Jagguram Marge

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 5085 of 2005

Petitioner : Ku. Manorama Shende

Versus

Respondents : State Govt. of Chhattisgarh & others

And

W. P. (s) No. 5086 of 2005

Petitioner : Shri Tahalram Dewangan

Versus

Respondents : State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Ajay Shrivastava, Advocate for the Petitioners.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

(B2)

ORDER

(9th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificate.

2. The present writ petitions, being W.P. Nos. 4094/2006, 4095/2006, W.P.(s.) Nos. 4486/2006, 5085/2005 and 5086/2005 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of

(24)

Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of other connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

Subhash